



PATENT

Case Docket No. OPTIS.089A

Date: October 27, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James R. Braig, et al.
App. No. : 10/825,072
Filed : April 15, 2004
For : SAMPLE ELEMENT FOR
USE IN MATERIAL
ANALYSIS

Group Art Unit : 2877

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 27, 2004

(Date)

Mark J. Kertz

Mark J. Kertz, Reg. No. 43,711

TRANSMITTAL LETTER

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

ATTENTION: MAIL STOP MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f), which was mailed by the Office on June 28, 2004, enclosed are:

- (X) An executed Declaration by Inventors.
- (X) A Power of Attorney and copy of Assignment.
- (X) An extension of time to respond for 2 months is hereby requested.

Time Extension Fee:

(X) two months (\$215 small entity)

The present application qualifies for small entity status under 37 C.F.R. § 1.27.

- (X) A Notice to File Missing Parts.
- (X) Return prepaid postcard.

11/02/2004 WAFAM1 00000047 10825072 215.00 0P
05 FC:2252

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Fees as calculated below:

FILING FEE		\$ 790
FEE FOR EXTENSION OF TIME (LARGE ENTITY)	2 months	\$ 430
SURCHARGE 37 CFR 1.16(e)		\$ + 130
ADDITIONAL CLAIM FEES		\$ 1,362
TOTAL OF ABOVE CALCULATIONS		\$ 2,712
REDUCTION BY ½ FOR FILING BY SMALL ENTITY.		
Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached. \$ - 1,356		
TOTAL FEES SUBMITTED HEREWITH		\$ 1,356

(X) A check in the amount of \$1,356 to cover the above fees is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

Mark Kertz

Mark J. Kertz
Registration No. 43,711
Attorney of Record
Customer No. 20,995
(949) 760-0404

IFW ✓



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,072	04/15/2004		OPTIS.089A

CONFIRMATION NO. 7120

FORMALITIES LETTER



OC000000013086105

20995
 KNOBBE MARTENS OLSON & BEAR LLP
 2040 MAIN STREET
 FOURTEENTH FLOOR
 IRVINE, CA 92614

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$681** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1131** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

11/02/2004	WASFAW1	00000047	10825072
01	FC:2001		395.00 OP
02	FC:2051		65.00 OP
03	FC:2201		132.00 OP
04	FC:2202		549.00 OP

- Total additional claim fee(s) for this application is **\$681**
 - **\$258** for **6** independent claims over 3.
 - **\$423** for **47** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

KT

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE